

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

HB 619 - SB 1397

April 16, 2021

SUMMARY OF ORIGINAL BILL: Requires an insurer to include cost sharing amounts paid by the enrollee, or on behalf of the enrollee by another person, when calculating an enrollee's contribution to an applicable cost sharing requirement in regards to pharmacy benefits.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

IMPACT TO COMMERCE OF ORIGINAL BILL:

NOT SIGNIFICANT

SUMMARY OF AMENDMENT (006858): Deletes and rewrites all language after the enacting clause such that the only substantive change is to establish that the proposed language does not apply to a prescription drug for which there is a generic alternative, unless the enrollee has obtained access to the brand name prescription drug through prior authorization, a step therapy protocol, the insurer's exceptions and appeals process, or as specified in § 53-10-204(a).

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Unchanged from the original fiscal note.

Assumptions for the bill as amended:

- Passage of the proposed legislation will have no effect on the policies or procedures of the Division of Benefits Administration.
- Based on information provided by the Department of Commerce and Insurance (DCI), the DCI can monitor licensed pharmacy benefit managers for compliance utilizing existing resources; therefore, any fiscal impact is estimated to be not significant.

IMPACT TO COMMERCE WITH PROPOSED AMENDMENT:

Unchanged from the original fiscal note.

Assumption for the bill as amended:

- No significant impact on commerce or jobs in Tennessee.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The script is cursive and fluid.

Krista Lee Carsner, Executive Director

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